



ATTORNEY DOCKET NO.  
41758-P002D1C1

1

PATENT  
10/614,768

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: Lorraine Faxon Meisner  
Serial No.: 10/614,768  
Filed: July 8, 2003  
Art Unit: Not yet assigned  
Confirmation No: 8047  
Examiner: Not yet assigned  
For: TOPICAL COMPOSITION FOR THE TREATMENT OF PSORIASIS AND RELATED SKIN DISORDERS

PETITION UNDER 37 C.F.R. § 1.182

Mail Stop PETITION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

Dear Sir:

This petition under 37 C.F.R. § 1.182 is being filed in response to the Notice of Incomplete Nonprovisional Application issued for the above-specified application on October 24, 2003. A filing date was not granted as the application was deposited without drawings. The Notice also indicated that a newly executed oath or declaration covering the omitted items must be submitted.

Attached hereto is a Second Preliminary Amendment incorporating Figures 1A, 1B, 2A and 2B. Applicant respectfully petitions the that the omitted material contained in the prior application and submitted in the Second Preliminary Amendment filed concurrently herewith be

included in this continuation application, and that this application be accorded the filing date of **July 8, 2003**, the date of deposit of the continuation application. This request is based upon the incorporation by reference statement in Box 18 of the Utility Patent Application Transmittal that was filed with this new Continuation application. The drawings from the prior, parent application were inadvertently omitted when this continuation application was filed. Enclosed is a copy of Form PTO/SB/05 as filed with this continuation application with Box 18 checked.

Applicant respectfully traverses the requirement for a newly executed oath or declaration covering the inadvertently omitted drawings. The Declaration as filed with this application was newly signed for this application as the attorney of record had changed firms, however, in all other respects it was identical to the Declaration as filed for the parent of this application. A copy of the Declaration as filed for the parent application (U.S. Serial Number 10/185,388) is submitted herewith. As the figures submitted in the Second Preliminary Amendment are identical to those which were filed with the immediate parent, no new matter has been added and no new Declaration is required. . This request is also based upon the incorporation by reference statement in Box 18 of the Utility Patent Application Transmittal that was filed with this new Continuation application

In the event this petition is granted, Applicant further respectfully requests that both sheets of drawings be incorporated into the patent application and the file be sent to the Application Processing Division to revise the entry in the PALM system to reflect that this application has 2 sheets of drawings. MPEP § 605.04(g).

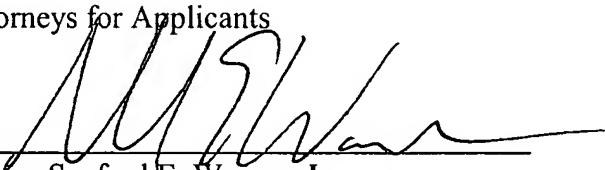
Filed concurrently with this Petition is a Response to the Notice of Incomplete Nonprovisional Application with the Second Preliminary Amendment containing the drawings, along with a new Change of Correspondence Address for this application.

The Petition Fee Under 1.17(h) in the amount of \$130.00 is attached. It is believed that no further fees are due. However, the Director is hereby authorized to debit Deposit Account No. 23-2426 of Winstead Sechrest & Minick P.C. if there are any further fees due under this paper.

Applicants respectfully request that Applicant's attorney be called at the below listed number if it is believed that such a discussion would be helpful in resolving any problems or questions.

Respectfully submitted,  
WINSTEAD SECHREST & MINICK P.C.  
Attorneys for Applicants

Date: November 23<sup>rd</sup>, 2003

By:   
Sanford E. Warren, Jr.  
Reg. No. 3933,219

P.O. Box 50784  
400 North Ervay Street  
Dallas, Texas 75201  
Phone: 214.745.5710  
Fax: 214.745.5390

DALLAS\_1\3897675\1  
41758-P002D1C1 11/25/2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lorraine Faxon Meisner  
Serial No.: 10/614,768  
Filed: July 8, 2003  
Title: TOPICAL COMPOSITION FOR THE TREATMENT OF PSORIASIS AND RELATED SKIN DISORDERS  
Confirmation No.: 8047  
Art Unit: Not yet assigned  
Examiner: Not yet assigned

Mail Stop Missing Parts  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION**

In response to the Notice of Incomplete Nonprovisional Application Filed under 37 CFR 1.53(b) issued for this application on October 24, 2003, enclosed are the following documents:

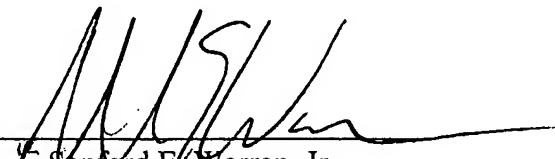
1. Transmittal letter with certificate of mailing;
2. This Response to Notice of Incomplete Nonprovisional Application;
3. Second Preliminary Amendment with attached three (3) sheets of drawings;
4. Copy of Declaration as filed for the parent of this application;
5. Copy of your Notice of Incomplete Nonprovisional Application;
6. A copy of the Petition Under 37 C.F.R. § 1.182, including:
  - a. Transmittal Letter PTO/SB/21;
  - b. PTO/SB/17 Fee Transmittal and Check in the amount of \$130.00 for the Petition fee;
  - c. Copy of the PTO/SB/05 Utility Patent Application filed with this Continuation Application;
  - d. Copy of Declaration as filed with the parent application;
  - e. Copy of the Second Preliminary Amendment with 3 drawing sheets;
  - f. Change of Correspondence Address; and
7. Return receipt post card.

It is believed that no additional fee is due. If this is incorrect, the Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or to credit overpayment of same, to Deposit Account No. 23-2426.

If the Examiner has any questions or comments concerning this paper or the present application in general, the Examiner is invited to call the undersigned at (214) 745-5710.

Respectfully submitted,  
WINSTEAD SECHREST & MINICK  
Attorneys for Applicants

Dated: November 25<sup>th</sup>, 2003

By:   
Sanford E. Warren, Jr.  
Reg. No. 33,219

P.O. Box 50784  
400 North Ervay Street  
Dallas, Texas 75201  
(214) 745-5710

Attorney Docket No: 41758-P002D1C1



ATTORNEY DOCKET NO.  
41758-P002D1C1

PATENT  
U.S. Serial No. 10/614,768

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application: Lorraine Faxon Meisner  
Serial No.: 10/614,768  
Filed: July 8, 2003  
Art Unit: Not yet assigned  
Confirmation No.: 8047  
Examiner: Not yet assigned  
For: TOPICAL COMPOSITION FOR THE TREATMENT OF PSORIASIS AND RELATED  
SKIN DISORDERS

**SECOND PRELIMINARY AMENDMENT**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Amendments to the drawings begin on Page 2 of this paper.

Remarks begin on page 3 of this paper.

**AMENDMENTS TO THE DRAWINGS**

Attached to this Preliminary Amendment are copies of three (3) sheets of drawings containing Figures 1A, 1B, 2A and 2B. No new matter has been added and the attached Drawings are identical to those as filed with the Parent Application, Serial No. 10/185,388, filed June 28, 2002.

This Amendment is based upon the incorporation by reference statement in Box 18 of the Utility Patent Application Transmittal that was filed with this new Continuation Application.

Applicant believes that no further fees are due. However, the Director is Authorized to debit any amounts due by this paper to Deposit Account No. 23-2426 of Winstead Sechrest & Minick P.C.

Applicant respectfully requests that Applicant's attorney be called at the below listed number if it is believed that such a discussion would be helpful in resolving any problems or questions.

Respectfully submitted,

WINSTEAD SECHREST & MINICK P.C.

Attorneys for Applicant

By: 

Sanford E. Warren, Jr.

Reg. No. 33,219

Date: November 25th, 2003

P.O. Box 50784  
400 North Ervay Street  
Dallas, Texas 75201  
Phone: 214.745.5710  
Fax: 214.745.5390

Please reference Attorney Docket No. 41758-P002D1C1

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41758-P002D1C1 11/25/2003



FIGURE 1a: CLINICAL HISTORY OF SUBJECTS 1-4.

Age and sex	1. 12 year old Female	2. 77 year old Male	3. 35 year old Male	4. 49 year old Male
Racial/ethnic background:	British, white	British, white	German, white	Chinese
Occupation:	Student	Real estate broker	Computer technician	Engineer
Affected areas:	Elbows, inner arm, scalp, left ear	Elbows, knees, wrists, scalp, and face.	Knees and shins	Arms, elbows, hands
Duration:	6.5 years	57 years	4-5 years	2 years
Severity:	Elbows and arms severe. Ears and scalp moderate.	Severe thick scaly plaque psoriasis.	Moderate	Moderate
Previous therapy:	Betnovate, cortisone cream, other topicals	Synalar, Betnovate, X-rays, UV, oral cortisone, miscellaneous topical ointments	Sensitive to coal tar so used hydrocortisone creams and herbal ointments. All of above caused slow improvement during use, with flare ups after a few weeks.	Prescription creams. Creams worked after about 2 weeks but lesions soon recurred.
Response to formulation in Study 4	Improvement noted in 2 days, lesions disappeared in 2 weeks with no redness or scarring	Elbows, hands and facial lesions disappeared after two weeks; the knees took four weeks. (His wife noted that this is the first time she has known him to be completely free of psoriasis.)	(Note: This subject was successfully treated with formulation in Study 3, and did not participate in Study 4. However, after treatment, his lesions disappeared in 4 days, with no recurrence in over 4 months.)	Lesions improved in one week, disappeared in 2-3 weeks.
Note: Subjects 1, 2 and 3 all have a family history of psoriasis.				

FIGURE 1b: CLINICAL HISTORY OF SUBJECTS 5-8.

Age and sex	5. 19 month old Male	6. 80 year old Female	7. 29 year old Female	8. 4.5 year old Male
Racial/ethnic background:	British, white	Italian, white	Portugese, white	American, Black
Occupation:	N/A	Retired librarian	Film/TV artist	Pre-school
Affected areas:	Face, legs, feet	Forearms, lower leg and shins, back of hands. 2 years.	Elbows, face, knees, small patches on legs. 5 years.	Elbows and knees
Duration:	18 months	2 years	5 years	2 years
Severity	Severe; exacerbated by allergens	Severe and very irritated	Moderate	Mild-Moderate
Previous therapy:	Aveeno, emu oil, hydrocortisone	Betamethasone, 1% cortisone, herbal creams	Cortisone cream, emu oil and steam baths. Cortisone did not work. Emu oil and steam baths helped.	Betnovate, various topical ointments. Temporary. Required repeated treatments.
Response to formulation in Study 4	Improved in 3 days. Lesions gone in one week. Recurred on exposure to wheat, but formulation led to greatly accelerated healing compared to previous treatments.  (See photo, Fig. 2a, which was taken one day after twice daily application of formulation and bottom photo, Fig. 2b, which was taken one week later).	Improved in 5-7 days. Lesions completely gone in 7-10 days.	Scabs and flaky skin were gone in 3 days. The redness was gone several days later.	Itching stopped after 2 days; lesions gone in one week  (Note: He has an affected parent who also benefitted from this cream.)
Note: Subject 8 has a family history of eczematous lesions.				



FIGURE 2a

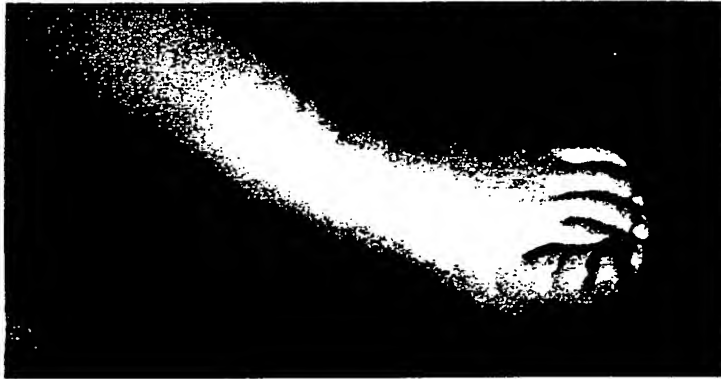


FIGURE 2b



1253-1001

PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Lorraine F. Meisner

For: TOPICAL COMPOSITION FOR THE TREATMENT OF PSORIASIS AND  
RELATED SKIN DISORDERS

BOX NEW PATENT APPLICATION

Assistant Commissioner for Patents

Washington, D.C. 20231

DECLARATION AND POWER OF ATTORNEY

As a below named joint inventor, we hereby declare that:

1. Our residence, post office address, and citizenship are as stated below next to our names.
2. We believe we are the original, first, and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TOPICAL COMPOSITION FOR THE TREATMENT OF PSORIASIS AND  
RELATED SKIN DISORDERS

3. We have reviewed and understand the contents of the above-identified specification, including the claims.
4. We acknowledge the duty to disclose information which is material to the patentability of this application as defined by Title 37, Code of Federal Regulations, § 1.56.
5. We hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

NONE

We hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

NONE

6. We hereby claim the benefit under Title 35, United States Code, § 120 of any United

States application(s) or 365(c) of any PCT International application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, we acknowledge the duty to disclose information which is material to patentability as defined in § 1.56 which became available between the filing date of any prior application(s) and the national or PCT international filing date of this application:

NONE

7. We hereby appoint:

Daniel J. Chalker, Reg. No. 40,552  
Edwin S. Flores, Reg. No. 38,453  
Marilyn Huston, Reg. No. 37,851  
Edward I. Jorgenson Reg. No. 34,194  
H. Lisa Koh, Reg. No. 43,725  
Todd Landis, Reg. No. 44,200  
Philip G. Meyers, Reg. No. 30,478  
John W. Montgomery, Reg. No. 31,124  
Carol Neilsen, Reg. No. 37,676  
Luis Ortiz, Reg. No. 36,230  
Daniel F. Perez, Reg. No. 33,755  
Kay Lyn Schwartz, Reg. No. 39,020  
Theodore F. Shiells, Reg. No. 31,569  
Sanford E. Warren, Jr., Reg. No. 33,219  
Lawrence R. Watson, Reg. No. 31,891  
Lawrence Youst, Reg. No. 38,795

of the firm of GARDERE & WYNNE, L.L.P., our attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent application filed thereon before any international authorities under the Patent Cooperation Treaty;

Send correspondence to:

Sanford E. Warren, Jr.  
GARDERE & WYNNE, L.L.P.  
3000 Thanksgiving Tower  
1601 Elm Street  
Dallas, Texas 75201  
(214) 999-4339

Attorney Docket No. 121753-1001

8. We hereby declare that all statements made herein of our own knowledge are true and

that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of Inventor: Lorraine Faxon Meisner

Inventor's Signature:

Lorraine Faxon Meisner

Date:

May 1, 2000

Residence (City, State):

5630 Lake Mendota Drive  
Madison, WI 53705

Citizenship:

United States of America

DEC 01 2003

PATENT &amp; TRADEMARK OFFICE

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PTO/SB/05 (06-03)

Approved for use through 07/31/2003. OMB 0651-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

UTILITY  
PATENT APPLICATION  
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	121753.1007
First Inventor	Lorraine F. Meisner
Title	Topical Composition for the Treatment of Psoriasis and Related Skin Disorders
Express Mail Label No.	ER392304335US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

## ADDRESS TO:

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 40]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the invention
  - Brief Summary of the invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☐ Drawing(s) (35 U.S.C. 113) [Total Sheets \_\_\_\_\_]
5. Oath or Declaration [Total Sheets 3]
  - a. ☐ Newly executed (original or copy)
  - b. ☒ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
    - i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Reader Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ Paper
  - c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement of Power of Attorney (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 [Copies of IDS Citations]
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other: .....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation    ☐ Divisional    ☐ Continuation-in-part (CIP)    of prior application No.: 10/185388

Prior application information:

Examiner Michelle C. FloodArt Unit: 1654

For CONTINUATION OF DIVISIONAL APPS only; The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☐ Customer Number: \_\_\_\_\_OR ☒ Correspondence address below

Name	Ruben C. DeLeon				
Address	Warren & Kennedy, L.L.P. 6565 N. MacArthur Blvd., Suite 910				
City	Irving	State	TX	Zip Code	75039
Country	USA	Telephone	469-916-5319	Fax	972-506-9827
Name (Print/Type)	Ruben C. DeLeon		Registration No. (Attorney/Agent)	37,812	
Signature			Date	July 2, 2003	

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



753-1001

PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Lorraine F. Meisner

For: TOPICAL COMPOSITION FOR THE TREATMENT OF PSORIASIS AND  
RELATED SKIN DISORDERS

BOX NEW PATENT APPLICATION

Assistant Commissioner for Patents

Washington, D.C. 20231

DECLARATION AND POWER OF ATTORNEY

As a below named joint inventor, we hereby declare that:

1. Our residence, post office address, and citizenship are as stated below next to our names.
2. We believe we are the original, first, and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TOPICAL COMPOSITION FOR THE TREATMENT OF PSORIASIS AND  
RELATED SKIN DISORDERS

3. We have reviewed and understand the contents of the above-identified specification, including the claims.
4. We acknowledge the duty to disclose information which is material to the patentability of this application as defined by Title 37, Code of Federal Regulations, § 1.56.
5. We hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

NONE

We hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

NONE

6. We hereby claim the benefit under Title 35, United States Code, § 120 of any United



States application(s) or 365(c) of any PCT International application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, we acknowledge the duty to disclose information which is material to patentability as defined in § 1.56 which became available between the filing date of any prior application(s) and the national or PCT international filing date of this application:

NONE

7. We hereby appoint:

Daniel J. Chalker, Reg. No. 40,552  
Edwin S. Flores, Reg. No. 38,453  
Marilyn Huston, Reg. No. 37,851  
Edward I. Jorgenson Reg. No. 34,194  
H. Lisa Koh, Reg. No. 43,725  
Todd Landis, Reg. No. 44,200  
Philip G. Meyers, Reg. No. 30,478  
John W. Montgomery, Reg. No. 31,124  
Carol Neilsen, Reg. No. 37,676  
Luis Ortiz, Reg. No. 36,230  
Daniel F. Perez, Reg. No. 33,755  
Kay Lyn Schwartz, Reg. No. 39,020  
Theodore F. Shiells, Reg. No. 31,569  
Sanford E. Warren, Jr., Reg. No. 33,219  
Lawrence R. Watson, Reg. No. 31,891  
Lawrence Youst, Reg. No. 38,795

of the firm of GARDERE & WYNNE, L.L.P., our attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and to file and prosecute any international patent application filed thereon before any international authorities under the Patent Cooperation Treaty;

Send correspondence to: Sanford E. Warren, Jr.  
GARDERE & WYNNE, L.L.P.  
3000 Thanksgiving Tower  
1601 Elm Street  
Dallas, Texas 75201  
(214) 999-4339

Attorney Docket No. 121753-1001

8. We hereby declare that all statements made herein of our own knowledge are true and

that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of Inventor: Lorraine Faxon Meisner

Inventor's Signature:

Lorraine Faxon Meisner

Date:

May 1, 2000

Residence (City, State):

5630 Lake Mendota Drive  
Madison, WI 53705

Citizenship:

United States of America



Please type a plus sign (+) inside this box

PTO/SB/122 (10-00)  
Approved for use through 10/31/2002. OMB 0651-0035  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## CHANGE OF CORRESPONDENCE ADDRESS *Application*

Address to:  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Application Number	10/614,768
Filing Date	July 8, 2003
First Named Inventor	Lorraine Faxon Meisner
Group Art Unit	not yet assigned
Examiner Name	not yet assigned
Attorney Docket Number	41758-P002D1C1

Please change the Correspondence Address for the above-identified application to:

☐

Customer Number

Type Customer Number here

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OR

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Firm or  
Individual Name

Winstead Sechrest & Minick P.C.

Address

P.O. Box 50784

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400 North Ervay

City

Dallas

State

Texas

ZIP

75201

Country

US

Telephone

214.745.5710

Fax

214.745.5390

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

I am the :

☐

Applicant/Inventor.

☐

Assignee of record of the entire interest.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☒

Attorney or Agent of record. Reg. No. 33,219

☐

Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number \_\_\_\_\_

Typed or Printed  
Name

Sanford E. Warren, Jr.

Signature

Date

November 25, 2003

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☒

\*Total of 1 forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

011946

DATE	INVOICE NUMBER	MEMO	BALANCE
11/25/2003	11252003B ANGE 54 41758-P002D1C1	10999-99999-01530-001 Advance for Filing Fees for Petition	130.00
<div data-bbox="227 262 462 504" data-label="Image"> </div>			
CHECK DATE	CHECK NUMBER	TOTAL	
11/25/2003	000011946	130.00	

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**WINSTEAD™**  
 WINSTEAD SECHREST & MINICK  
 Attorneys and Counselors

5400 RENAISSANCE TOWER  
 1201 ELM STREET  
 DALLAS, TEXAS 75270  
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000011946	11/25/2003	*****130.00

TO THE  
ORDER  
OF

**Director of the United States Patent  
 and Trademark Office**

WINSTEAD SECHREST & MINICK P.C.  
 CLIENT ADVANCE ACCOUNT - CDA

*[Signature]*

AUTHORIZED SIGNATURE

ORIGINAL CHECK HAS AN ARTIFICIAL WATERMARK ON REVERSE SIDE-HOLD AT AN ANGLE TO VIEW

⑈011946⑈ ⑆072404786⑆ 2176993653⑈

WINSTEAD SECHREST & MINICK P.C. CLIENT ADVANCE ACCOUNT - CDA (214) 745-5400 DALLAS, TEXAS  
**Director of the United States Patent**

011946

DATE	INVOICE NUMBER	MEMO	BALANCE
11/25/2003	11252003B ANGE 54 41758-P002D1C1	10999-99999-01530-001 Advance for Filing Fees for Petition	130.00
CHECK DATE	CHECK NUMBER	TOTAL	
11/25/2003	000011946	130.00	

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UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/614,768	07/08/2003	Lorraine Faxon Meisner	121753.1007

Ruben C. DeLeon  
 Warren & Kennedy, L.L.P.  
 Suite 910  
 6565 N. MacArthur Blvd.  
 Irving, TX 75039

CONFIRMATION NO. 8047

## FORMALITIES LETTER



\*OC000000011099511\*

Date Mailed: 10/24/2003

## NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)). Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

- The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented." *Applicant should reconsider whether the drawings are necessary under 35 U.S.C. 113 (first sentence).*

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 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

T. Ketsela  
 Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

25

Application Number

10/614,768

Filing Date

July 8, 2003

First Named Inventor

Lorraine Faxon Meisner

Art Unit

Not yet assigned

Examiner Name

Not yet assigned

Attorney Docket Number

41758-P002D1C1

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input checked="" type="checkbox"/> Drawing(s) 3 sheets attached to 2nd Prelim. Amnd	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply Second Preliminary	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	See below
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<b>Remarks</b>	
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application	Copy of Declaration as filed for the parent of this application; copy of Notice of Incomplete Nonprovisional Application; Copy of Petition (with attached copies of Transmittal Letter, Fee Transmittal, Copy of PTO/SB/05 filed with this Continuation application; Copy of Declaration as filed with parent application; copy of Second Preliminary amendment with 3 sheets of drawings; and Change of Correspondence Address); return receipt post card.	
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Sanford E. Warren, Jr. Winstead Sechrest & Minick, P.C.
Signature	
Date	November 19, 2003

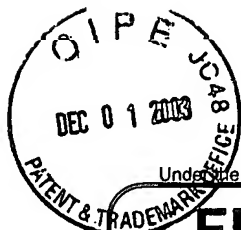
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Typed or printed name	Viola M.L. Ange		
Signature		Date	November 26, 2003

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PTO/SB/17 (10-03)

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 130.00

**Complete if Known**

Application Number	10/614,768
Filing Date	July 8, 2003
First Named Inventor	Lorraine Faxon Meisner
Examiner Name	Not yet assigned
Art Unit	Not yet assigned
Attorney Docket No.	41758-P002D1C1

**METHOD OF PAYMENT** (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit  
Account  
Number  
Deposit  
Account  
Name

23-2426

Winstead Sechrest &amp; Minick P.C.

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$ )

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims		Extra Claims		Fee from below		Fee Paid	
Independent Claims		-20** =		X		=	
Multiple Dependent		-3** =		X		=	

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$ )

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION** (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	130.00
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 130.00

**SUBMITTED BY**

(Complete if applicable)

Name (Print/Type)	Sanford E. Warren, Jr.	Registration No. (Attorney/Agent)	33,219	Telephone	214.745.5710
Signature		Date	Nov. 26, 2003		

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DUPLICATE

PTO/SB/17 (10-03)

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 130.00

## Complete if Known

Application Number	10/614,768
Filing Date	July 8, 2003
First Named Inventor	Lorraine Faxon Meisner
Examiner Name	Not yet assigned
Art Unit	Not yet assigned
Attorney Docket No.	41758-P002D1C1

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit  
Account  
Number  
Deposit  
Account  
Name

23-2426

Winstead Sechrest & Minick P.C.

The Director is authorized to: (check all that apply)

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☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$ )			

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$ )		

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
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1254 1,480	2254 740	Extension for reply within fourth month	
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1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	130.00
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 130.00

## SUBMITTED BY

Name (Print/Type)	Sanford E. Warren, Jr.	Registration No. (Attorney/Agent)	33,219	Telephone	214.745.5710
Signature		Date	Nov. 26, 2003		

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/614,768	
	Filing Date	July 8, 2003	
	First Named Inventor	Lorraine Faxon Meisner	
	Art Unit	Not yet assigned	
	Examiner Name	Not yet assigned	
Total Number of Pages in This Submission	25	Attorney Docket Number	41758-P002D1C1

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	See below
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<b>Remarks</b> Copy of Declaration as filed for the parent of this application; Copy of PTO/SB/05 as filed with application; copy of Notice of Incomplete Nonprovisional Application (with attached copies of Transmittal Letter, Second Preliminary Amendment with 3 sheets of drawings; Declaration as filed with parent application); Change of Correspondence Address; and return receipt post card.	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>		
Firm or Individual name	Sanford E. Warren, Jr. Winstead Sechrest & Minick P.C.	
Signature		
Date	November 15, 2003	

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Typed or printed name	Viola M.L. Ange	
Signature		Date November 26, 2003

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